

### **REMARKS**

Claims 1-30 were pending in this application. Claims 2, 3, 4, and 28 are objected to. Claims 1-30 are rejected.

In this Amendment and Response, Applicants cancel claims 27, 28 and 30 without prejudice. Applicants reserve the right to pursue these claims in continuation applications. In this Amendment and Response, Applicants also amend claims 1, 2, 4, 6, 10-12, 14, 15, 20-24 and 29 without any intention of disclaiming any equivalents thereof. Applicants assert that no new matter is added by this Amendment. Reconsideration is respectfully requested.

### **Claim Objections**

Claims 2, 4 and 28 are hereby amended.

Applicants submit that claim 3 is properly dependent on claim 1, and accordingly have not amended claim 3.

### **Claim Rejections**

Claims 29 and 30 were rejected under 35 U.S.C. 102(e) over U.S. Patent No. 6, 546,555 to Hjelsvold et al. ("Hjelsvold"). Claims 1, 7-10, 14-20, and 24-28 are rejected under 35 U.S.C. § 103(a) over U.S. Patent No. 5,563,649 to Gould et al. ("Gould") in view of Hjelsvold. Claims 2-5 are rejected under 35 U.S.C. § 103(a) over Gould and Hjelsvold, and further in view of U.S. Patent No. 5,537,530 to Edgar et al. ("Edgar"). Claim 6 is rejected under 35 U.S.C. § 103(a) over Gould and Hjelsvold, and further in view of XP-002149004. Claim 6 is rejected under 35 U.S.C. § 103(a) over Gould and Hjelsvold, and further in view of XP-0021150023.

### **Hjelsvold**

Hjelsvold discloses a "System for Hypervideo Filtering Based on End-User Payment Interest and Capability" (Title). As an initial basis of distinction, Applicants' claimed invention does not relate to hypervideo filtering based on end-user payment interest and capability.

Hjelsvold's "system for selling digital video information over a communications network...basically includes a filtering server and a service administration system." (Abstract). In particular, Hjelsvold specifies that:

The present invention provides a system for selling digital video information over a communications network such as the Internet. The information is stored on an

information server at a merchant's video information site. Videos are represented as hypervideos consisting of narrative sequences and hyperlinks. Hyperlinks connect anchorable information units within the hypervideo to other anchorable information units within the same hypervideo or to anchorable information units outside of the hypervideo. A video information customer may establish a network connection to the merchant to browse or search a catalog of available video information. When ordering a video, the customer will have several editions of the same video to choose among. Each edition may have a different quality, duration and price than other editions. When the customer selects a given video edition, the customer will also provide the system with electronic payment information, such as credit card information.

(Column 2, line 58 through column 3, line 8).

Hjelsvold thus discloses a type of on-line video store where an end-user may log on, search for a particular video stream, pay for that video stream, and download the video stream via the world wide web.

As the Examiner correctly notes, Hjelsvold states:

The world-wide web information server provides customers with the following; a list of available videos, the possibility to customize specific versions and a method for calculating the price for a specific version. The world-wide web information server also allows the end-user to electronically purchase a specific version and upon positive outcome of an electronic payment transaction, generates the specific version based on multimedia data and descriptive data stored in the system. The world-wide web further returns the reference to the specific version to the customer for viewing.

(Column 2, lines 14-24).

Hjelsvold does not disclose sharing videos, video segments or video images.

As set forth in the present application, "It is an object of this invention to provide methods and systems for sharing video segments over a network" (Page 2, lines 9-10). "The user who stored the video can send a message to an intended viewer, so that the viewer can access and view the video segment" (page 11, lines 15-16). Also:

In various embodiments, the video segment [created by the sender] can be made available to the viewer as a streaming video that is sent to the viewer, or may be made available by sending the viewer a message such as an email that contains an address of a location to visit on the Web (e.g., a Universal Resource Locator, or URL), or may be made available by sending the viewer a message that contains an embedded link to a URL, for example by sending an e-mail containing the link or by sending a still image that may have some interest to a viewer (e.g., sending a grandmother a still image of her grandchildren) to which a link is attached (e.g.,

the still image is linked to a streaming video of the grandchildren that is delivered and that plays when the still image is clicked). (Page 10, lines 8-16).

Each of amended independent claims 1, 10, 15 and 24 recites, in part, the acquisition of a video segment from a sender. The only other remaining independent claim (29) is amended to, in part, recite that a video image is uploaded from a sender.

Hjelsvold at least does not teach or suggest such acquiring or uploading from a sender.

### **Gould**

Gould describes “a ‘video fax’ system [which] electronically delivers a non-real time, full-motion, sub-broadcast quality facsimile of relatively short segments of video material from an originating location to a receiving location in a short period of time, utilizing selected widely available commercial telephone switched networks.” (Abstract). Under Gould, “the complete video fax system 10 utilizes two video fax units, configured as a sending unit 11 and receiving unit 13, respectively. The units 11, 13 provide digital data communications across a telephone network 15.” (Column 3, lines 29-32). “The telephone network 15 provides bi-directional communication between the pair of video facsimile units 11, 13. The forward data path, from the sending unit 11 to the receiving unit 13, provides for transmission of compressed digital video and audio, facsimile summary information, and network and user information....Facsimile summary information includes elements such as the name and telephone number of the sender...” (Column 3, lines 52-62).

There is no suggestion at all in Gould or Hjelsvold to combine Gould’s video fax system with Hjelsvold’s hypervideo filtering system, or vice versa. The motivation alleged in the Office Action relies upon impermissible hindsight.

### **The Other Cited References**

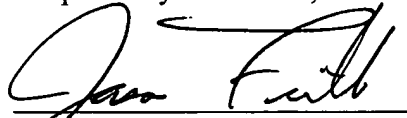
None of Edgar, XP-002149004 or XP-0021150023 teaches or suggests acquiring or uploading from a sender as recited in the amended independent claims. Thus, none of these references adds anything that makes any of the amended independent claims unpatentable.

**CONCLUSION**

Applicants submit the above amendments and remarks to be fully responsive to all the objections and grounds of rejection raised in the Office Action. In view of these amendments and remarks, applicants request allowance of all of the claims currently pending.

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Reg. No.: 52,892  
Tel. No. (617) 310-8471  
Fax No. (617) 248-7100

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jason P. Fiorillo", written over a horizontal line.

Jason P. Fiorillo  
Attorney for Applicants  
Testa, Hurwitz & Thibault, LLP  
High Street Tower  
125 High Street  
Boston, MA 02110

3110585